

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**VEOLIA INDUSTRIAL SERVICES, INC.,  
Plaintiff,**

**v.**

**Case No. 11-CV-00126**

**DPH HOLDINGS CORPORATION, et al.,  
Defendant.**

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**ORDER**

Defendant DPH Holdings Corporation (“DPH”) filed an amended cross-claim against defendants D-21 Demolition, LLC and 21st Century Salvage, Inc. (“cross defendants”). On September 20, 2011, the cross defendants filed a motion to dismiss counts I, II and III of the cross-claim, which are titled as follows: “Count I – Contractual Indemnification / Breach of Contract,” “Count II – Common Law Indemnification / Contribution,” and “Count III – Breach of Contract / Pierce Corporate Veil / Alter Ego.” DPH has not filed a memorandum in opposition. Under Civil L. R. 7(d) (E.D. Wis.), failure to file a memorandum in opposition to a motion is sufficient cause for the court to grant the motion.

**THEREFORE, IT IS ORDERED** that cross-defendants’ motion to dismiss with prejudice counts I, II and III of DPH Holding Corporation’s amended cross-claim [Docket # 36] is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 8th day of November, 2011.

s/\_\_\_\_\_  
LYNN ADELMAN  
District Judge